

Chevy Chase Village Board of Managers

November 13, 2006

BOARD OF MANAGERS

Douglas B. Kamerow, Chair	Present
David L. Winstead, Vice Chair	Present
Susie Eig, Secretary	Present
Gail S. Feldman, Treasurer	Present
Betsy Stephens, Assistant Treasurer	Absent
Peter M. Yeo, Board Member	Present
Robert L. Jones, Board Member	Absent

STAFF

David R. Podolsky, Legal Counsel	Present
Geoffrey B. Biddle, Village Manager	Present
Roy A. Gordon, Police Chief	Present
Shana R. Davis-Cook, Manager of Administration	Present
Michael W. Younes, Administrative Assistant	Present

Dr. Douglas B. Kamerow, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:33 p.m. Mr. Winstead arrived at 7:40 p.m. Ms. Stephens and Mr. Jones were absent.

Approval of Minutes from the October 9, 2006 Board Meeting

Ms. Feldman submitted changes to the minutes, which were circulated to Board members prior to the meeting.

Ms. Eig submitted several grammatical edits and the following somewhat more substantive changes at the meeting:

- Page 3, line 13: Replace “Based on” with “As”; replace “Administration’s insistence on maintaining” with “Administration insists upon”.
- Page 3, line 14: Replace “and instead of acquiring more studies, staff” with “no further studies will be obtained. Staff”.
- Page 4, line 1: Insert “unanimous” after “the Committee had”.
- Page 12, line 7: Replace “avoids” with “minimizes”.

Ms. Eig made a motion to approve the minutes of the October 9, 2006 Board Meeting as amended. Mr. Yeo seconded the motion. Dr. Kamerow, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. Mr. Winstead had not yet arrived. The motion passed.

Treasurer's Report

The Treasurer's report was distributed to the Board prior to the meeting. Discussion followed.

Committee Reports

Building Facilities Commission

The Commission Chair, Mary Anne Tuohey, outlined upcoming events sponsored by the Building Facilities Commission and Committee on Children, Youth and Families and noted that the Commission discussed having a cyber café for teens in the new conference area after its completion. Ms. Tuohey advised that rental regulations and rates are now available to residents on a summary sheet in a concise format, and the Commission is now drafting a revised packet for renters to receive after they have confirmed their event by paying the reservation fee. The 2007 Fall Class Session flyer will be mailed to residents during the month of August instead of being included in the September 2007 issue of the *Crier*. Event monitors working as staff representatives are being utilized at large events. A recent monitor, Communications Clerk Beverly Perkins, received a commendation from the resident/host, which resulted in a written commendation for Ms. Perkins' personnel file. Construction continues on the new conference room, which will be available for use at the Holiday Party on December 13.

Brookville Road Working Group (Working Group)

Dr. Kamerow, Chair of the Working Group, stated that more than half of the abutting residents have been contacted to obtain their feedback on the proposed walkway/sidewalk. Resident response has been positive thus far, however, the residents at the northeast and northwest corners of East Melrose Street still need to be contacted. These are the properties that would be most affected by the proposed walkway/sidewalk. Discussion followed.

Decisions on Previous Appeals

None.

Appeals

A-1586: Mr. and Mrs. James H. Breed, 2 Newlands Street—(a) Removal of one Cherry tree measuring 15.4-inches in diameter located in the front yard of the property. (b) Removal of one Cherry tree measuring 13.3-inches in diameter located in the front yard of the property. Alice Breed presented her request. Bob Elliott, Chair of the Tree Committee, stated that all members visited the site and support the removals, due in part to the fact that they are not "canopy" trees. Discussion followed.

Mr. Winstead made a motion to direct Counsel to draft a decision approving the (a) removal of one Cherry tree measuring 15.4-inches in diameter located in the front yard of the property, and (b) the removal of one Cherry tree measuring 13.3-inches in diameter located in the front yard of the property, provided the applicants reforest with at least two deciduous hardwood trees that must be at least 2 ½ inches in caliper at the

time of installation and must be of a species that achieves a mature height of at least 45 feet. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

A-1588: Mr. Robert G. Josephs and Ms. Geraldine M. Carr, 3 Grafton Street—Removal of one Pin Oak tree measuring 13.0-inches in diameter located in the side yard of the property. Robert Josephs presented his request. Bob Elliott, Chair of the Tree Committee, stated that the Committee members voted 3 to 1 in favor of the removal, partially due to the poor location of the tree. Discussion followed.

Ms. Eig made a motion to direct Counsel to draft a decision approving the removal of one Pin Oak tree measuring 13.0-inches in diameter located in the side yard of the property, provided the applicants reforest with at least one conifer or deciduous hardwood tree that must be at least 2 ½ inches in caliper at the time of installation and must be of a species that achieves a mature height of at least 45 feet. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed. Mr. Josephs requested an expedited decision.

A-1569: Ms. Ruth Katz, 29 Primrose Street—Removal of one Holly tree measuring 10.8-inches in diameter located in the rear yard of the property. Lila Fendrick of Lila Fendrick Landscape Architecture & Garden Design and landscape architect for the property presented the applicant's request. Bob Elliott, Chair of the Tree Committee, stated that the Committee members voted 3 to 1 in favor of the removal. He noted that the tree is healthy, although not in a preferred location.

Joan Gaul of 27 Primrose Street stated her objection to the removal and testified that the tree partially frames the view of her adjacent garage. Discussion followed.

Ms. Eig made a motion to direct Counsel to draft a decision approving the removal of one Holly tree measuring 10.8-inches in diameter located in the rear yard of the property, provided the applicant reforests with at least one deciduous hardwood tree that must be at least 2 ½ inches in caliper at the time of installation and must be of a species that achieves a mature height of at least 45 feet and provided the applicant implements a landscape plan substantially similar to the plan submitted for the record. Mr. Yeo seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

A-5173: Ms. Ruth Katz, 29 Primrose Street—Replace an existing chain link fence and two gates measuring five-feet (5') in height with a tongue and groove solid board fence and two gates measuring six-feet, six-inches (6'-6") in height located two-inches (2") inside the east property line beginning at the north property line and connecting with the porch on the east side of the house in the Brookville Road front yard. One gate would be located along the east property line and the other gate would be located between the porch on the east side of the house and the east property line. Lila Fendrick

of Lila Fendrick Landscape Architecture & Garden Design and landscape architect for the property presented the applicant's request.

Joan Gaul of 27 Primrose Street stated her objection to the proposed fence due to its height. She stated that the applicant's yard is higher than the Brookville road paved surface. Dr. Kamerow stated that the Code allows the installation of a four foot (4') high fence forward of the front building restriction line, but that Board precedent has been to approve the installation of higher fences along Brookville Road due to the high volume of vehicular traffic on the roadway. Discussion followed.

Ms. Eig made a motion to direct Counsel to draft a decision approving the replacement of an existing chain link fence and two gates measuring five-feet (5') in height with a tongue and groove solid board fence and two gates measuring six-feet, six-inches (6'-6") in height located two-inches (2") inside the east property line beginning at the north property line and connecting with the porch on the east side of the house in the Brookville Road front yard provided the applicant installs and maintains the landscaping shown on the landscaping plan submitted for the record, including, but not limited to the trees and other plantings between the fence and Brookville Road. One gate would be located along the east property line and the other gate would be located between the porch on the east side of the house and the east property line. Mr. Yeo seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

A-5175: Mr. and Mrs. Christopher Landau, 27 Quincy Street—Construct a rear stoop, a portion of which would encroach two feet (2') into the seven-foot (7') side yard setback. Christopher Landau and his architect, John Katinas, presented the request. Mr. Landau testified that he had spoken with his neighbors, the Knickerbockers of 25 Quincy Street, and they supported the request. Discussion followed.

Ms. Feldman made a motion to direct Counsel to draft a decision approving the construction of a rear stoop, a portion of which would encroach two feet (2') into the seven-foot (7') side yard setback. Mr. Yeo seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Feldman and Mr. Yeo voted in favor of the motion. Ms. Eig abstained. The motion passed.

A-5177: Ms. Allison Michaels, 5501 Montgomery Street—Demolish main residence. Allison Michaels and Cris Clore of Goshen Home & Design, the design/builder for the project, presented the request.

Cindy Anderson of 5605 Montgomery Street stated her concerns regarding construction traffic. Mr. Clore testified that his crews were well aware of the Village's regulations regarding construction start times and traffic and that these regulations would be strictly adhered to.

Peter Clark of 5503 Montgomery Street stated his support of the demolition. He requested that contractors keep all demolition and workers' vehicles on private property thereby not

allowing parking on Montgomery Street. Mr. Clore testified that all demolition vehicles would be parked on private property, and that individual workers' vehicles would mostly be located on the site with the remaining vehicles legally parked on Montgomery Street as close as possible to the subject property. Mr. Clark asked how the presumed dust and dirt would be contained. Mr. Clore responded that the amount of dust and dirt would be closely monitored and addressed as needed. Ms. Feldman asked how long the demolition would take. Mr. Clore responded that the demolition would likely be completed in one working day.

Betty Tubbs of 5509 Montgomery Street expressed concern regarding parking conflicts between construction and other non-resident vehicles. She suggested that the parking restrictions be revised to prohibit parking by anyone who does not have a resident or guest parking permit. Dr. Kamerow outlined the procedures for a formal request to modify the parking restrictions. Ms. Feldman asked if police monitoring of the parking restrictions could be done during the demolition and construction process.

Jane Roemer of 5402 Center Street stated her concerns regarding available parking for residents during the demolition and construction process. She asked if the workers could be issued special parking permits for construction vehicles so neighbors would not assume they are commuters'/shopping center patrons' vehicles. Police Chief Gordon stated that workers are encouraged to place a sign on their personal unmarked vehicles identifying that they are with the construction company and the property at which they are working.

Karl Gertel of 5400 Center Street stated his objection to the complete demolition and stated that he would prefer that the applicant remodel the house. Ms. Michaels stated that complete demolition was required because the existing foundation is unstable and an existing stairway is collapsing. She stated that these factors do not allow for a basic remodeling.

Brian Porto of 5414 Center Street stated his support of the request. Discussion followed.

Ms. Eig made a motion to direct Counsel to draft a decision approving the demolition of the main residence. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

A-5176: Ms. Allison Michaels, 5501 Montgomery Street—(a) Install a pool, which would be located ten feet (10') from the south property line; and (b) install a pool deck, which would be located five feet (5') from the south property line. Allison Michaels presented her request.

Mr. Yeo stated that he did not feel a variance was justified for the proposed pool and pool deck given the already approved demolition of the main house. He said he felt new construction should be done within the setbacks specified in the Village Building Code and that the proposed house could be designed in a way to accommodate the proposed pool and pool deck within the setbacks. Mr. Yeo stated he felt the Board should not approve the variance in an effort to accommodate the applicant's personal decisions regarding the size of the proposed house and pool. Mr. Winstead agreed with Mr. Yeo's comments.

Jane Roemer of 5402 Center Street agreed with Mr. Yeo's comments and outlined her concerns regarding noise related to the pool and the possibility that water will flow onto her adjacent property. Ms. Michaels asked Ms. Roemer if she would support the proposed pool and pool deck if there were additional tree screening between the two properties. Ms. Roemer stated that additional tree screening would not adequately address her concerns.

Peter Clark of 5503 Montgomery Street agreed with the comments made by Messrs. Yeo and Winstead and Ms. Roemer, and stated his objection to the request.

Jeffrey Robertson of CAS Engineering stated that the engineering report showed that the proposed pool would be at an elevation two feet (2') lower than the rear yard of 5402 Center Street. He added that a wall could be installed along the south property line to lessen the noise related to the pool. Discussion followed.

Mr. Yeo made a motion to direct Counsel to draft a decision denying the (a) installation of a pool, which would be located ten feet (10') from the south property line; and (b) the installation of a pool deck, which would be located five feet (5') from the south property line. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed. Ms. Michaels testified that she had alternate plans for a thirteen foot (13') wide pool that would be within the setbacks, therefore not requiring a variance.

A-1587: Ms. Allison Michaels, 5501 Montgomery Street—(a) Removal of one Persimmon tree measuring 16.0-inches in diameter located in the rear yard of the property to accommodate a proposed pool; (b) removal of one Tulip tree measuring 14.2-inches in diameter located in the rear yard of the property to accommodate a proposed pool; and (c) removal of one Red Maple tree measuring 35.0-inches in diameter located in the rear yard of the property to accommodate a proposed new house. Allison Michaels presented her request. Bob Elliott, Chair of the Tree Committee, stated that the Committee members voted 3 to 1 in favor of the removal of all three trees. He stated that the Persimmon and Tulip trees are thin and tall, and not particularly useful. Mr. Elliott said the Red Maple tree is old and tall with two trunks joined at ground level and appears to be weak. He noted that all three trees had been subject to ivy overgrowth, which had probably compromised the trees' integrity. Mr. Elliott recommended that the Board require three replacement trees.

Peter Clark of 5503 Montgomery Street stated his objection to the removals, which would result in a loss of shade to his property.

Jane Roemer of 5402 Center Street stated she felt the Board needed to consider the three appeals in the context of the total number of removals proposed for the property, which she felt was a "clear-cutting" of the property. Discussion followed.

Dr. Kamerow made a motion to direct Counsel to draft a decision approving the —(a) removal of one Persimmon tree measuring 16.0-inches in diameter located in the rear

yard of the property to accommodate a proposed pool; (b) removal of one Tulip tree measuring 14.2-inches in diameter located in the rear yard of the property to accommodate a proposed pool; and (c) removal of one Red Maple tree measuring 35.0-inches in diameter located in the rear yard of the property to accommodate a proposed new house, provided the applicant reforests with at least three (3) deciduous hardwood trees that must be at least 2 ½ inches in caliper at the time of installation and must be of a species that achieves a mature height of at least 45 feet. Ms. Eig seconded the motion. Dr. Kamerow, Ms. Eig and Ms. Feldman voted in favor of the motion. Mr. Winstead and Mr. Yeo voted against the motion. The motion passed.

Old Business

ad hoc Building Regulation Advisory Group

Mr. Biddle explained that the following eight candidates had expressed an interest in serving on the Advisory Group:

Seymour Auerbach, 115 Hesketh Street, Architect
Richard Zantzinger, 5815 Cedar Parkway, Builder
David Jones, 15 Primrose Street, Architect
Tom McCullough, 2 Primrose Street, Builder, Civil Engineer
Jeffrey Thompson, 5500 Montgomery Street, Developer
Thomas Bourke, 36 Quincy Street, Developer/Architect
Jean Federico, 5613 Belmont Avenue, Historic Preservation (Alexandria)
Brian Porto, 5414 Center Street, Building/Masonry Supplier

Mr. Biddle asked the Board to advise how many people it felt appropriate to serve on the Committee. Mr. Biddle stated that Mr. Younes had located seven professional consultants in the area, one of which had been retained by the Town of Chevy Chase.

Dr. Kamerow asked if there was model legislation that the Committee could review. Mr. Podolsky replied that there has not yet been any legislation enacted pursuant to House Bill 1232. Ms. Feldman noted that all of the candidates had similar backgrounds in building and development, and not permitting and zoning.

Ms. Eig suggested applying the same kinds of guidelines used by the Historic Preservation Commission in the Village's historic district to the rest of the Village. This would provide clear language that could be easily followed and would allow the Village to be regulated as a single unit. Ms. Eig encouraged finding a professional with historic preservation experience.

Mr. Yeo suggested the Board outline a specific goal for the Committee as was done with the ad hoc Oliver Street Traffic Committee. He said he preferred to see more of an advisory committee, or a resource board, that would have useful information that could be used by the Board in how to view the authority, but the Board would make all policy change proposals. Mr. Yeo agreed with Ms. Eig and said he felt preservation guidance from a professional would be beneficial.

Mr. Winstead said he felt the list of Advisory Group candidates were very capable. He suggested Mr. Biddle speak with attorneys at *Holland & Knight* for professional consultant recommendations.

Dr. Kamerow said that now that the goal of preventing overly large construction and keeping the Village's character had been voiced, Board members should focus on what they would specifically like the Advisory Group to do. Mr. Winstead said he felt the Advisory Group should look at the existing Village Building Code and the setbacks contained therein in view of how these might be modified. Ms. Feldman inquired if the Advisory Group should be asked to take on the major research effort of investigating current permitting and zoning regulations in the surrounding counties and throughout the State. Dr. Kamerow said he felt it more important first to investigate the current conditions (setbacks, lot coverage, building height, etc.) within the Village itself. Mr. Biddle noted that, at first glance, a "survey" of the Village probably would require placing workers in the field to gather data because there is no current source for all of this information. Mr. Yeo said that while this type of base information must be obtained, the Advisory Group was not the entity to accomplish this form of survey. Ms. Eig agreed with Mr. Yeo and stated that a professional survey should be performed with sufficient labor resources. The Board asked Mr. Biddle to: 1) look for outside resources that could perform a field survey of the Village, find out the cost for such work and, provide this information to the Board at its December 11, 2006 meeting; and 2) look for a consultant to advise of existing building regulations in other areas so the Board can review options under the new regulatory authority. Mr. Podolsky suggested the Board determine what they want the Village to look like in the future and allow the Advisory Group to figure out how to achieve that goal.

Margaret Cook of 5410 Center Street suggested the Advisory Group look at what existing County ordinances are more restrictive than those currently enforced by the Village.

Brian Porto of 5414 Center Street suggested the Advisory Group spend time making the regulations understandable and eliminate the need for the Village Manager to make interpretations in varying scenarios. He said the Village Building Code needed to be revised to address the residents' future housing needs.

Mr. Winstead volunteered to assist with locating consultants through his contacts. Discussion followed.

Chevy Chase Land Company (Land Company)—Mr. Biddle explained that Mr. Podolsky continues to work with Counsel for the Land Company on an agreement. Negotiations continue. Discussion followed.

New Business

Citizens Coordinating Committee on Friendship Heights (CCCFH)/Chevy Chase West Funding Support

Naomi Spinrad of Chevy Chase West explained that there is a house at 4601 Hunt Avenue (corner of Hunt and Wisconsin Avenues) in which a furniture showroom is operated. Patrons

can view furniture on display, place a furniture order and have it delivered to their home. There has been a 15-month long battle to get the operation removed from the residentially zoned property. Ms. Spinrad explained that Chevy Chase West is not incorporated, and must therefore depend upon the Montgomery County Department of Permitting Services (DPS) to ensure County Code and zoning compliance. DPS has deemed this operation an acceptable home business occupation.

Ms. Spinrad advised that Chevy Chase West representatives approached CCCFH seeking financial support for their legal case challenging DPS' issuance of a Business License to the aforementioned property. CCCFH supported the idea of raising funds from surrounding communities. Ms. Spinrad requested \$2,000 from Chevy Chase Village for help in covering the legal costs for the litigation.

Mr. Podolsky explained that traditional home business occupations are operated so they have no, or minimal, adverse impact on the community in relation to traffic and parking and there are limits placed on the number of employees that can reside outside of the residence. Ms. Spinrad added that the furniture seller does not reside at the property. Mr. Podolsky outlined other cases involving home occupations in the area. Discussion followed.

Dr. Kamerow made a motion to approve the request from Chevy Chase West for \$2,000 to assist with their financial costs for a legal battle challenging issuance of a Business License by the Montgomery County Department of Permitting Services. Mr. Yeo seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

5414 Center Street, Variance Follow-Up

Dr. Philip Sheridan of 5416 Center Street stated that he and other neighbors sought answers to the following questions in relation to the variance applications filed by Mr. and Mrs. Brian Porto of 5414 Center Street:

- Mr. and Mrs. Porto asked for the Public Hearing for the installation of two (2) eight foot (8') high masonry retaining walls on either side of a proposed driveway to be continued to the November 13, 2006 Board meeting. The applicants would then appeal the Village Manager's denial of their Building Permit Application, and, dependant on the outcome of this appeal, the Board would hear the Portos' request for a variance for said work. Dr. Sheridan noted that it was his understanding that in the interim the Village Manager had determined that the Village Building Code did not require a Building Permit for the proposed below-grade features, thereby dismissing the need for a variance from the Board of Managers. Dr. Sheridan asked how the Village Manager had come to this conclusion.
- Dr. Sheridan stated that Mr. and Mrs. Porto had submitted a proposal to demolish their main residence, excluding the two (2) existing chimneys, construct a new main house, which would be attached to the existing chimneys and then subsequently replace the chimneys in the same location because they would then be classified as developmental nonconformities. Mr. and Mrs. Porto had requested legal interpretation of the Village Building Code from the Board and Village Counsel as to

the feasibility of this proposal. Dr. Sheridan asked if a legal interpretation of the Code had been made in relation to this proposal.

- Dr. Sheridan asked at what point in the permitting process the Village Manager would review the water drainage for the proposed driveway and areaway.

Dr. Kamerow explained that an applicant submits plans to the Village office for the Village Manager's review. The Village Manager then decides if all components of the project are approvable administratively or if there are individual components that will require a variance or special permit from the Board of Managers. Dr. Kamerow said that the Village Manager and Counsel had discussed the proposed retaining walls and the Village Manager determined that a Building Permit would not be required because below-grade retaining walls had not been previously regulated. Mr. Podolsky agreed with Dr. Kamerow. Mr. Biddle added that below-grade exterior staircases had not been previously regulated either. Mr. Podolsky advised Dr. Sheridan that he and other neighbors could appeal the Village Manager's decision that the Portos' walls were not subject to regulation to the Board of Managers; however, he added that appeals of the Village Manager's decisions allege that the Village Manager interpreted the Village Building Code incorrectly, and are not a debate on the merits of the ordinance or lack thereof.

Cindy Anderson of 5605 Montgomery Street said that even though the Village Building Code may not currently regulate below-grade features, she felt it was appropriate for the Board to consider adding regulation of below-grade features to the Code. Dr. Kamerow replied that the Building Regulation Advisory Group would consider this in its upcoming overall review of the Village Building Code.

Carol Giacomo of 5412 Center Street asked Mr. Biddle if he had considered safety issues in relation to the below-grade driveway and exterior stairwells. Mr. Biddle responded yes and said that he is aware the Montgomery County Department of Permitting Services requires a fence or railing around any below-grade open areas over a specific height.

Margaret Cook of 5410 Center Street asked Mr. Biddle to include the Village's definition for "wall" in an advisory letter to the neighbors of the subject property.

Dr. Sheridan stated that he would appeal the Village Manager's determinations at the Board's December 11 meeting. Discussion followed.

Contract Awards

Publishing Monthly Newsletter, the *Crier*—**Mr. Winstead made a motion to enter into a contract with *Spectrum Printing & Graphics* for the monthly publication of the Village newsletter *The Crier* for one year with two additional one-year options. Ms. Eig seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.**

Security Cameras for the Buffer Area Park—Mr. Biddle explained that seven solicitation packages had been distributed in response to the advertised opportunity. Four proposals were received with three responsive to the solicitation. Of the three, Mr. Biddle stated that he

recommended contract award be made to *Genesis Security Systems, LLC*. *Genesis Security Systems*' proposed price to the Village is \$39,900 for all installation including seven cameras, wiring and setup. Annual service contract costs are \$3,200 for the first year and \$4,650 each year thereafter. Authorized FY 07 installation budget for this project is \$40,000. Annual service contract costs are within the FY 07 budget. The next nearest proposal price is \$57,700 and the third proposal came in at \$92,000. *Genesis* and the second-place proposal are net of Village-installed conduit. The third place proposal requires that their conduit installation contractor perform the work. Planning for the security camera system has always included the assumption that the Village Public Works staff would install the conduit.

Of the seven proposed cameras four would pan, tilt and zoom, one will be fixed to view the entrance to the Buffer from the commercial site, one will be fixed to view the existing emergency phone, and one would be fixed to view the Grove Street entrance to the Buffer Park. The cameras will be side-mounted to the existing lamp poles and the casings will be painted black to be inconspicuous.

Mr. Winstead asked if any crimes had taken place within the Buffer Park since The Collection at Chevy Chase opened. Police Chief Gordon replied that there had not been any crime in the Buffer Park since the shopping center opened. Mr. Winstead asked if the cameras were indeed warranted.

Jane Roemer of 5402 Center Street said she would feel safer walking in the Buffer Park with the presence of security cameras. Ms. Roemer asked why only one emergency phone had been installed in the Buffer Park. Mr. Biddle explained that the existing emergency phone had been purchased through a grant and that the Village is seeking additional grant funds for more phones. He explained that if the Village is not able to acquire grant funds, funds would be budgeted for the upcoming fiscal year. Police Chief Gordon explained that the phones are \$4,800 each and that while crime is not currently taking place in the Buffer Park, it would be better to have the resources in place prior to an outbreak of crime. Discussion followed.

Mr. Yeo made a motion to enter into a contract with *Genesis Security Systems, LLC* for the installation and maintenance of security cameras in the Buffer Area Park. Dr. Kamerow seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

Holiday Party Catering—The Board unanimously approved entering into a contract for catering services with *Continental Caterers, Inc.* in the amount of \$9,318 for the 2006 Holiday Party.

Village Employees Gift Cards—The Board unanimously approved issuance of the annual \$75 face-value *Giant* store gift cards to the Village employees.

Village Staffing

Mr. Biddle advised that Manager of Administration, Shana Davis-Cook, would be out of the office on maternity leave in spring/summer 2007, thereby requiring temporary staffing changes in the administrative office.

Halloween Party

Ms. Eig complimented Village staff, Doris Lyerly and Shana Davis-Cook, on the success of the Village's annual Halloween Party held on Friday, October 27.

Chairman's Report

None.

Manager's Report**Under-Grounding of Utilities**

Mr. Biddle stated that the Board, at its October 9 meeting, had instructed him to locate consultants to investigate the technology's future. Mr. Biddle advised that he made contact with the current Montgomery County contractor, *Columbia Telecommunications Corporation* (CTC), which also has Maryland Transportation Authority background. The Village can piggyback on the County's contract with CTC. CTC will be able to assist the Village in determining how to bring the networks into the Village through a comprehensive plan. He noted that other communities, such as Baltimore, Maryland and Philadelphia, Pennsylvania, have installed their own conduits and leased them to contractors for installations, thereby earning revenue for those communities. Mr. Biddle asked the Board if it would like him to proceed with discussions with CTC. Dr. Kamerow responded that utility/communications companies would be less likely to bypass large communities such as Baltimore and Philadelphia than they might be to bypass smaller communities like the Village. He cautioned taking actions that would inhibit utility/communications companies from pursuing the Village. Ms. Feldman asked if CTC would look into varying and future technology. Mr. Biddle stated that they could. The Board instructed Mr. Biddle to proceed with discussions with CTC.

Mr. Biddle stated that in the interim of discussions with CTC, he would like to present to the Board an amendment of Resolution No. 10-03-06 amending Section 8-29 of the Village Building Code. He explained that the amended Resolution would impose requirements on *Verizon* and RCN if they attempt to proceed with their intentions to install within the Village while the Board investigates other options. The Board instructed Mr. Biddle to proceed. Discussion followed.

Police Report

The monthly Police Report was distributed to the Board prior to the meeting. Jane Roemer of 5402 Center Street requested information from Police Chief Gordon on the recent burglary at All Saints Episcopal Church located at 3 Chevy Chase Circle. Police Chief Gordon advised that there was a suspect in DC Police custody who would be investigated as a suspect in this burglary. Ms. Roemer asked the Board if the Village Communications Center/Police Department tracked the received parking complaints. Police Chief Gordon responded that parking complaints are recorded, but some complaints may be compiled as "duplicates" in the system if more than one complaint comes in for the same violation. He also stated that evening parking by patrons of the shopping center had increased. Discussion followed.

Dr. Kamerow made a motion to adjourn the meeting. Ms. Eig seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed. The meeting adjourned at 10:35 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.